

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

C&L INTERNATIONAL TRADING INC.
and KAM NG

Plaintiffs,

v.

CHUNG KEE (USA) INTERNATIONAL
INC., YAT CHAU (USA) INC., TUNG REN
TANG, RON FENG TRADING INC., FARGO
TRADING, INC., YONG LONG
SUPERMARKET INC., and PO WING HONG
FOOD MARKET INC.

Defendants.

Case No.: 13-CIV-2638 (LLS)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed Declaration of Philip Abramowitz, Esq., affirmed on May 16, 2013, and upon the exhibits attached thereto, the accompanying Memorandum of Law in support of this motion, and the pleadings herein, Defendants CHUNG KEE (USA) INTERNATIONAL INC., YAT CHAU (USA) INC., TUNG REN TANG, RON FENG TRADING INC., YONG LONG SUPERMARKET INC., and PO WING HONG FOOD MARKET INC. will move this Court, before the Honorable Louis L. Stanton, United States District Judge, for an order granting dismissal of the Complaint in its entirety and all causes of action as against all defendants with prejudice: (a) pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief may be granted; and, (b) upon the basis that none of the claims contain allegations adequate to give notice to the defendants of the wrongs they allegedly committed, and the complaint fails to meet the pleading standards of Rule 8 of the Federal Rules of Civil Procedure. In support of its motion,

Defendants file concurrently herewith its Memorandum of Law in Support of its Motion to Dismiss, the Declaration of Philip Abramowitz, Esq. and a proposed order.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Buffalo, New York
May 16, 2013

Respectfully submitted,

By: 

Phillip Abramowitz, Esq.
KLOSS, STENGER & LOTEMPPIO
Attorneys for Plaintiff,
American Tibetan Health Institute, Inc.
69 Delaware Avenue, Suite 1003
Buffalo, New York 14202
Telephone: (716) 853-1111
Email: office@klosslaw.com

David W. Kloss, Esq.
KLOSS, STENGER & LOTEMPPIO
69 Delaware Avenue, Suite 1003
Buffalo, New York 14202
Telephone: (716) 853-1111
Email: dwkloss@klosslaw.com

Of Counsel to:

Otto O. Lee, Esq.
INTELLECTUAL PROPERTY LAW GROUP LLP
12 South First Street, 12th Floor
San Jose, California 95113
Telephone: (408) 286-8933
Facsimile: (408) 286-8932
Email: olee@iplg.com

Attorneys for Defendants

CHUNG KEE (USA) INTERNATIONAL INC.,
YAT CHAU (USA) INC., TUNG REN TANG;
RON FENG TRADING INC., YONG LONG
SUPERMARKET INC., and PO WING HONG
FOOD MARKET INC.